

“(D) encourage at-risk students to set goals and plan for their futures, including making plans and identifying goals for postsecondary education and the workforce.

“(2) DURATION.—The Secretary shall award grants under this section for a period not to exceed 5 years.

“(3) APPLICATION.—To receive a grant under this section, an eligible entity shall submit to the Secretary an application that includes—

“(A) a needs assessment that includes baseline data on the measures described in paragraph (6)(A)(ii); and

“(B) a plan to meet the requirements of paragraph (1), including—

“(i) the targeted outcomes, mentee age and eligibility, mentor type, and meeting frequency for the program;

“(ii) the number of mentor-student matches proposed to be established and maintained annually under the program;

“(iii) the capacity and expertise of the program to serve children and youth in a way that is responsive to children and youth of color, expectant and parenting youth, indigenous youth, youth who are lesbian, gay, bisexual, transgendered, or queer, and youth with disabilities;

“(iv) actions taken to ensure that the design of the program reflects input from youth;

“(v) an assurance that mentors supported under the program are appropriately screened and have demonstrated a willingness to comply with aspects of the mentoring program, including—

“(I) a written screening plan that includes all of the policies and procedures used to screen and select mentors, including eligibility requirements and preferences for such applicants;

“(II) a description of the methods to be used to conduct criminal background checks on all prospective mentors, and the methods in place to exclude mentors with convictions directly related to child safety that occur during the mentor's participation in the program or in the 10-year period preceding the mentor's participation; and

“(III) a description of the methods to be used to ensure that the mentors are willing and able to serve as a mentor on a long-term, consistent basis as defined in the application.

“(4) PRIORITY.—In selecting grant recipients, the Secretary shall give priority to applicants that—

“(A) serve children and youth with the greatest need living in high-poverty, high-crime areas, or rural areas, or who attend schools with high rates of community violence;

“(B) provide at-risk students with opportunities for postsecondary education preparation and career development, including—

“(i) job training, professional development, work shadowing, internships, networking, resume writing and review, interview preparation, transition services for students with disabilities, application assistance and visits to institutions of higher education, and leadership development through community service; and

“(ii) partnerships with the private sector and local businesses to provide internship and career exploration activities and resources;

“(C) seek to provide match lengths between at-risk students and mentors for at least 1 academic year; and

“(D) consult and engage youth in the development, design, and implementation of the program.

“(5) USE OF FUNDS.—An eligible entity that receives a grant under this section may use such funds to—

“(A) develop and carry out regular training for mentors, including on—

“(i) the impact of adverse childhood experiences;

“(ii) trauma-informed practices and interventions;

“(iii) supporting homeless children and youths;

“(iv) supporting children and youth in foster care or youth who have been emancipated from foster care, but are still enrolled in high school;

“(v) cultural competency;

“(vi) meeting all appropriate privacy and confidentiality requirements for students, including students in foster care;

“(vii) working in coordination with a public school system;

“(viii) positive youth development and engagement practices; and

“(ix) disability inclusion practices to ensure access and participation by students with disabilities;

“(B) recruit, screen, match, train, and compensate mentors;

“(C) hire staff to perform or support the objectives of the school-based mentoring program;

“(D) provide inclusive and accessible youth engagement activities, such as—

“(i) enrichment field trips to cultural destinations; and

“(ii) career awareness activities, including job site visits, informational interviews, resume writing, interview preparation, and networking; and

“(iii) academic or postsecondary education preparation activities, including trade or vocational school visits, visits to institutions of higher education, and assistance in applying to institutions of higher education; and

“(E) conduct program evaluation, including by acquiring and analyzing the data described under paragraph (6).

“(6) REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 6 months after the end of each academic year during the grant period, an eligible entity receiving a grant under this section shall submit to the Secretary a report that includes—

“(i) the number of students and mentors, and the demographics of the students and mentors, who participated in the school-based mentoring program that was funded in whole or in part with the grant funds;

“(ii) data on the academic achievement, dropout rates, truancy, absenteeism, outcomes of arrests for violent crime, summer employment, and postsecondary education enrollment of students in the program;

“(iii) the number of group sessions and number of one-to-one contacts between students in the program and their mentors;

“(iv) the average attendance of students enrolled in the program;

“(v) the number of students with disabilities connected to transition services;

“(vi) data on social-emotional development of students as assessed with a validated social-emotional assessment tool; and

“(vii) any other information that the Secretary may require to evaluate the success of the school-based mentoring program.

“(B) STUDENT PRIVACY.—An eligible entity shall ensure that the report submitted under subparagraph (A) is prepared in a manner that protects the privacy rights of each student in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g; commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(7) MENTORING RESOURCES AND COMMUNITY SERVICE COORDINATION.—

“(A) TECHNICAL ASSISTANCE.—The Secretary shall work with the Office of Juvenile Justice and Delinquency Prevention to—

“(i) refer grantees under this section to the National Mentoring Resource Center to ob-

tain resources on best practices and research related to mentoring and to request no-cost training and technical assistance; and

“(ii) provide grantees under this section with information regarding transitional services for at-risk students returning from correctional facilities and transition services for students with disabilities.

“(B) COORDINATION.—The Secretary shall, to the extent possible, coordinate with the Corporation for National and Community Service, including through entering into an interagency agreement or a memorandum of understanding, to support mentoring and community service-related activities for at-risk students.

“(c) AUTHORIZATION OF FUNDS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2023 through 2028.”.

SEC. 4. INSTITUTE OF EDUCATION SCIENCES STUDY ON SCHOOL-BASED MENTORING PROGRAMS.

(a) IN GENERAL.—The Secretary of Education, acting through the Director of the Institute of Education Sciences, shall conduct a study to—

(1) identify successful school-based mentoring programs and effective strategies for administering and monitoring such programs;

(2) evaluate the role of mentors in promoting cognitive development and social-emotional learning to enhance academic achievement and to improve workforce readiness; and

(3) evaluate the effectiveness of the grant program under section 136 of the Carl D. Perkins Career and Technical Education Act of 2006, as added by section 3, on student academic outcomes and youth career development.

(b) TIMING.—Not later than 3 years after the date of enactment of this Act, the Secretary of Education, acting through the Director of the Institute of Education Sciences, shall submit the results of the study described in subsection (a) to the appropriate congressional committees.

By Mr. THUNE (for himself, Ms. SMITH, Mr. ROUNDS, and Mr. TESTER):

S. 70. A bill to require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land by certain deadlines, and for other purposes; to the Committee on Indian Affairs.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 70

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tribal Trust Land Homeownership Act of 2023”.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPLICABLE BUREAU OFFICE.—The term “applicable Bureau office” means—

(A) a Regional office of the Bureau;

(B) an Agency office of the Bureau; or

(C) a Land Titles and Records Office of the Bureau.

(2) BUREAU.—The term “Bureau” means the Bureau of Indian Affairs.

(3) DIRECTOR.—The term “Director” means the Director of the Bureau.

(4) **FIRST CERTIFIED TITLE STATUS REPORT.**—The term “first certified title status report” means the title status report needed to verify title status on Indian land.

(5) **INDIAN LAND.**—The term “Indian land” has the meaning given the term in section 162.003 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(6) **LAND MORTGAGE.**—The term “land mortgage” means a mortgage obtained by an individual Indian who owns a tract of trust land for the purpose of—

- (A) home acquisition;
- (B) home construction;
- (C) home improvements; or
- (D) economic development.

(7) **LEASEHOLD MORTGAGE.**—The term “leasehold mortgage” means a mortgage, deed of trust, or other instrument that pledges the leasehold interest of a lessee as security for a debt or other obligation owed by the lessee to a lender or other mortgagee.

(8) **MORTGAGE PACKAGE.**—The term “mortgage package” means a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document submitted to an applicable Bureau office under section 3(a)(1).

(9) **RELEVANT FEDERAL AGENCY.**—The term “relevant Federal agency” means any of the following Federal agencies that guarantee or make direct mortgage loans on Indian land:

- (A) The Department of Agriculture.
- (B) The Department of Housing and Urban Development.
- (C) The Department of Veterans Affairs.

(10) **RIGHT-OF-WAY DOCUMENT.**—The term “right-of-way document” means the meaning given the term in section 169.2 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(11) **SUBSEQUENT CERTIFIED TITLE STATUS REPORT.**—The term “subsequent certified title status report” means the title status report needed to identify any liens against a residential, business, or land lease on Indian land.

SEC. 3. MORTGAGE REVIEW AND PROCESSING.

(a) REVIEW AND PROCESSING DEADLINES.—

(1) **IN GENERAL.**—As soon as practicable after receiving a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document, the applicable Bureau office shall notify the lender that the proposed residential leasehold mortgage, business leasehold mortgage, or right-of-way document has been received.

(2) PRELIMINARY REVIEW.—

(A) **IN GENERAL.**—Not later than 10 calendar days after receipt of a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document, the applicable Bureau office shall conduct and complete a preliminary review of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document to verify that all required documents are included.

(B) **INCOMPLETE DOCUMENTS.**—As soon as practicable, but not more than 2 calendar days, after finding that any required documents are missing under subparagraph (A), the applicable Bureau office shall notify the lender of the missing documents.

(3) APPROVAL OR DISAPPROVAL.—

(A) **LEASEHOLD MORTGAGES.**—Not later than 20 calendar days after receipt of a complete executed residential leasehold mortgage or business leasehold mortgage, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the residential leasehold mortgage or business leasehold mortgage.

(B) **RIGHT-OF-WAY DOCUMENTS.**—Not later than 30 calendar days after receipt of a com-

plete executed right-of-way document, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the right-of-way document.

(C) **LAND MORTGAGES.**—Not later than 30 calendar days after receipt of a complete executed land mortgage, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the land mortgage.

(D) **REQUIREMENTS.**—The determination of whether to approve or disapprove a residential leasehold mortgage or business leasehold mortgage under subparagraph (A), a right-of-way document under subparagraph (B), or a land mortgage under subparagraph (C)—

- (i) shall be in writing; and
- (ii) in the case of a determination to disapprove a residential leasehold mortgage, business leasehold mortgage, right-of-way document, or land mortgage shall, state the basis for the determination.

(E) **APPLICATION.**—This paragraph shall not apply to a residential leasehold mortgage or business leasehold mortgage with respect to Indian land in cases in which the applicant for the residential leasehold mortgage or business leasehold mortgage is an Indian tribe (as defined in subsection (d) of the first section of the Act of 1955 (69 Stat. 539, chapter 615; 126 Stat. 1150; 25 U.S.C. 415(d))) that has been approved for leasing under subsection (h) of that section (69 Stat. 539, chapter 615; 126 Stat. 1151; 25 U.S.C. 415(h)).

(4) CERTIFIED TITLE STATUS REPORTS.—

(A) COMPLETION OF REPORTS.—

(i) **IN GENERAL.**—Not later than 10 calendar days after the applicable Bureau office approves a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (3), the applicable Bureau office shall complete the processing of, as applicable—

(I) a first certified title status report, if a first certified title status report was not completed prior to the approval of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document; and

(II) a subsequent certified title status report.

(ii) **REQUESTS FOR FIRST CERTIFIED TITLE STATUS REPORTS.**—Notwithstanding clause (i), not later than 14 calendar days after the applicable Bureau office receives a request for a first certified title status report from an applicant for a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (1), the applicable Bureau office shall complete the processing of the first certified title status report.

(B) NOTICE.—

(i) **IN GENERAL.**—As soon as practicable after completion of the processing of, as applicable, a first certified title status report or a subsequent certified title status report under subparagraph (A), but by not later than the applicable deadline described in that subparagraph, the applicable Bureau office shall give notice of the completion to the lender.

(ii) **FORM OF NOTICE.**—The applicable Bureau office shall give notice under clause (i)—

- (I) electronically through secure, encryption software; and
- (II) through the United States mail.

(iii) **OPTION TO OPT OUT.**—The lender may opt out of receiving notice electronically under clause (ii)(I).

(b) NOTICES.—

(1) **IN GENERAL.**—If the applicable Bureau office does not complete the review and processing of mortgage packages under subsection (a) (including any corresponding first certified title status report or subsequent

certified title status report under paragraph (4) of that subsection) by the applicable deadline described in that subsection, immediately after missing the deadline, the applicable Bureau office shall provide notice of the delay in review and processing to—

(A) the party that submitted the mortgage package or requested the first certified title status report; and

(B) the lender for which the mortgage package (including any corresponding first certified title status report or subsequent certified title status report) is being requested.

(2) **REQUESTS FOR UPDATES.**—In addition to providing the notices required under paragraph (1), not later than 2 calendar days after receiving a relevant inquiry with respect to a submitted mortgage package from the party that submitted the mortgage package or the lender for which the mortgage package (including any corresponding first certified title status report or subsequent certified title status report) is being requested or an inquiry with respect to a requested first certified title status report from the party that requested the first certified title status report, the applicable Bureau office shall respond to the inquiry.

(c) **DELIVERY OF FIRST AND SUBSEQUENT CERTIFIED TITLE STATUS REPORTS.**—Notwithstanding any other provision of law, any first certified title status report and any subsequent certified title status report, as applicable, shall be delivered directly to—

- (1) the lender;
- (2) any local or regional agency office of the Bureau that requests the first certified title status report or subsequent certified title status report;

(3) in the case of a proposed residential leasehold mortgage or land mortgage, the relevant Federal agency that insures or guarantees the loan; and

(4) if requested, any individual or entity described in section 150.303 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(d) **ACCESS TO TRUST ASSET AND ACCOUNTING MANAGEMENT SYSTEM.**—Beginning on the date of enactment of this Act, the relevant Federal agencies and Indian Tribes shall have read-only access to the Trust Asset and Accounting Management System maintained by the Bureau.

(e) ANNUAL REPORT.—

(1) **IN GENERAL.**—Not later than March 1 of each calendar year, the Director shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

(A) for the most recent calendar year, the number of requests received to complete residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages (including any requests for corresponding first certified title status reports and subsequent certified title status reports), including a detailed description of—

- (i) requests that were and were not successfully completed by the applicable deadline described in subsection (a) by each applicable Bureau office; and
- (ii) the reasons for each applicable Bureau office not meeting any applicable deadlines; and

(B) the length of time needed by each applicable Bureau office during the most recent calendar year to provide the notices required under subsection (b)(1).

(2) **REQUIREMENT.**—In submitting the report required under paragraph (1), the Director shall maintain the confidentiality of personally identifiable information of the parties involved in requesting the completion of residential leasehold mortgage packages,

business leasehold mortgage packages, land mortgage packages, and right-of-way document packages (including any corresponding first certified title status reports and subsequent certified title status reports).

(f) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes—

(1) an evaluation of the need for residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages of each Indian Tribe to be digitized for the purpose of streamlining and expediting the completion of mortgage packages for residential mortgages on Indian land (including the corresponding first certified title status reports and subsequent certified title status reports); and

(2) an estimate of the time and total cost necessary for Indian Tribes to digitize the records described in paragraph (1), in conjunction with assistance in that digitization from the Bureau.

SEC. 4. ESTABLISHMENT OF REALTY OMBUDSMAN POSITION.

(a) IN GENERAL.—The Director shall establish within the Division of Real Estate Services of the Bureau the position of Realty Ombudsman, who shall report directly to the Secretary of the Interior.

(b) FUNCTIONS.—The Realty Ombudsman shall—

(1) ensure that the applicable Bureau offices are meeting the mortgage review and processing deadlines established by section 3(a);

(2) ensure that the applicable Bureau offices comply with the notices required under subsections (a) and (b) of section 3;

(3) serve as a liaison to other Federal agencies, including by—

(A) ensuring the Bureau is responsive to all of the inquiries from the relevant Federal agencies; and

(B) helping to facilitate communications between the relevant Federal agencies and the Bureau on matters relating to mortgages on Indian land;

(4) receive inquiries, questions, and complaints directly from Indian Tribes, members of Indian Tribes, and lenders in regard to executed residential leasehold mortgages, business leasehold mortgages, land mortgages, or right-of-way documents; and

(5) serve as the intermediary between the Indian Tribes, members of Indian Tribes, and lenders and the Bureau in responding to inquiries and questions and resolving complaints.

By Mr. DURBIN (for himself, Mr. TILLIS, Mr. GRASSLEY, and Mr. COONS):

S. 79. A bill to amend title 35, United States Code, to establish an interagency task force between the United States Patent and Trademark Office and the Food and Drug Administration for purposes of sharing information and providing technical assistance with respect to patents, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 79

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Interagency Patent Coordination and Improvement Act of 2023”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Decisions by the United States Patent and Trademark Office relating to patents may implicate, or have relevance to, information housed at or involving other Federal agencies.

(2) Entities submitting patent applications to the United States Patent and Trademark Office may also submit information to, or share information with, other Federal agencies, necessitating accuracy and consistency in those representations.

(3) Research has shown that patent examiners may benefit from additional information that is housed at, or is available to, Federal agencies other than the United States Patent and Trademark Office in order to assess prior art and the state of science and technology.

(4) The Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office is encouraged to work with other Federal agencies.

SEC. 3. REPORT BY UNITED STATES PATENT AND TRADEMARK OFFICE.

Not later than 4 years after the date of enactment of this Act, the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains—

(1) a description of the frequency with which—

(A) information is provided by the Food and Drug Administration to the United States Patent and Trademark Office through the Interagency Task Force on Patents established under section 15 of title 35, United States Code, as added by section 4(a) of this Act, or under processes established by that Task Force; and

(B) the information described in subparagraph (A) is used in patent examinations;

(2) an identification of which methods of providing information, as described in paragraph (1)(A), and types of information so shared, are most useful to patent examiners;

(3) any recommendations for changes to be made by Congress to the mandate, funding, or operations of the Task Force described in paragraph (1)(A); and

(4) an identification of other Federal agencies with which the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office should explore opportunities for coordination that are similar to those undertaken with the Food and Drug Administration through the activities of the Task Force described in paragraph (1)(A).

SEC. 4. INTERAGENCY TASK FORCE ON PATENTS.

(a) IN GENERAL.—Chapter 1 of title 35, United States Code, is amended—

(1) in section 2(c), by adding at the end the following:

“(6)(A) In exercising the Director’s powers and duties under this section relating to patents, and decisions or actions involving patents, for human drugs and biological products, the Director shall, through the Interagency Task Force on Patents established under section 15, consult with the Commissioner of Food and Drugs in the manner described in that section.

“(B) For purposes of subparagraph (A), the term ‘decisions or actions involving patents’

means decisions or actions taken with respect to patents under this title.”; and

(2) by adding at the end the following:

“§ 15. Interagency Task Force on Patents

“(a) ESTABLISHMENT.—There is established an interagency task force, to be known as the Interagency Task Force on Patents (referred to in this section as the ‘task force’), to coordinate efforts between the Director and the Commissioner of Food and Drugs (referred to in this section as the ‘Commissioner’) regarding communication about, evaluation of, and effective implementation of the activities of the Office and the Food and Drug Administration with respect to patents, and decisions or actions involving patents (as defined in section 2(c)(6)(B)), for human drugs and biological products.

“(b) MEMORANDUM OF UNDERSTANDING.—The Director and the Commissioner shall enter into a memorandum of understanding, or update an existing memorandum of understanding, for the purposes of implementing and carrying out the duties of the task force.

“(c) MEMBERSHIP.—The task force shall be comprised of employees of the Office, who shall be appointed by the Director, and employees of the Food and Drug Administration, who shall be appointed by the Commissioner, who have appropriate expertise and decision-making authority regarding operational, administrative, technical, medical, pharmacological, clinical, and scientific matters to carry out the functions of the task force.

“(d) ACTIVITIES.—The task force shall carry out the following functions regarding interagency coordination to promote reciprocal access of information:

“(1) Sharing information on the general processes of the Office and the Food and Drug Administration, what each such agency considers in its respective review of applications, and how each such agency evaluates those applications, which may be undertaken through routine and ongoing meetings, workshops, and training sessions.

“(2) Sharing information on new approvals of patents, human drugs and biological products, new technologies and prior art (as appropriate on a case-by-case basis), and scientific trends and developments.

“(3) Establishing a process that requires—

“(A) the Director to request from the Commissioner (and the Commissioner to provide to the Director, upon receiving such a request)—

“(i) appropriate information for use by employees of the Office with responsibility to examine patent applications under section 131 (referred to in this section as ‘patent examiners’) regarding when certain information relating to a human drug or biological product approval, which may include updates to a label or newly approved indications, is made publicly available, including when such information is posted online; and

“(ii) appropriate access for patent examiners to relevant sources of product application, approval, patent, and labeling information or communications between the Food and Drug Administration and the human drug or biological product sponsors that may not currently be subject to public disclosure, as appropriate and only to the extent necessary for the Office to carry out the responsibilities of the Office, such as ensuring accurate representations and access to information on whether the claimed invention that would be the subject of the patent was on sale before the effective filing date of the claimed invention, as described in section 102(a)(1); and

“(B) the Office to assist the Food and Drug Administration in its ministerial role of listing patents.

“(4) Establishing a process to ensure that, in appropriate circumstances, at the request